5.7 CULTURAL RESOURCES

Cultural resources include archaeological and historical objects, sites and districts, historic buildings and structures, cultural landscapes, and sites and resources of concern to local Native Americans and other ethnic groups.

The purpose of this cultural resources study is to inventory and tentatively assess the significance of cultural resources that the proposed MPP could potentially affect. Included in this study are records of correspondence with local Native Americans. These records, including site locational data, are included in the confidential Technical Report (Appendix J) but will only be made available on a need-to-know basis to qualified cultural resource specialists and project managers. These records and the site location data are the only items included in Appendix J that are not included in the AFC section.

As part of the field inventory, archaeological field investigations and historic evaluations were undertaken to assess the presence or absence and/or the extent of specific sites and features. All cultural resources work for this project was carried out under the direct supervision of an archaeologist meeting the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (National Park Service, 1983 [36 CFR Part 61]). This AFC section is consistent with the procedures for compliance with Section 106 of the National Historic Preservation Act (NHPA), set forth at 36 CFR 800.

Discussed below are detailed descriptions of project components, baseline conditions for prehistory, history and ethnography, results of coordination with the Native American community, records searches, field surveys, and assessments of potential impacts (direct and indirect) on cultural resources on a component-by-component basis. The results of the field survey indicate that no adverse project-related effects on significant cultural resources are anticipated from the proposed MPP. Also discussed below are appropriate mitigation measures set forth to ensure site avoidance and/or treatment in the event of discovery of artifacts.

Cultural resources work was conducted in compliance with the CEC's "Instructions to the California Energy Commission Staff for the Review of and Information Requirements for an Application for Certification" (CEC, 1992), and "Rules of Practice and Procedure and Power Plant Site Certification Regulations (CEC, February 1997). Cultural resources fieldwork protocols were prepared in consultation with the CEC.

5.7.1 Affected Environment

5.7.1.1 Study Area

Study Area. The MPP site is located in Burbank, California, near the southeastern end of the San Fernando Valley, in Los Angeles County. The site is bordered on the northwest by Magnolia Boulevard, on the northeast by the Burbank Western Channel and Interstate 5, on the southeast by Olive Avenue, and on the southwest by Lake Street. Three temporary use areas will also be located in Burbank, within 2 miles of the MPP site. No other offsite linear or ancillary facilities are proposed. The MPP site and a "buffer zone" (1-mile-wide study area for archaeological resources, and a ¼-mile wide study area for historic structures) were subjected to a record search. One temporary parking area was included in the MPP site records searches. If there will be ground disturbance at the other temporary sites, additional records searches will be conducted. A ¼-mile wide search radius was employed for the staging and parking areas because no groundbreaking activities are planned; under these circumstances, the possibility of adverse effects to cultural resources is slight.

Area of Potential Effects. The Area of Potential Effects (APE) for cultural resources includes the footprint of the MPP site and the temporary staging and parking area. The block areas of these component footprints are depicted on Figure 5.7-1 and described in Section 5.7.1.2. For archaeological and built environment resources, the APE is extended to include adjacent parcels on all sides of the MPP site. Although construction at the MPP site is not anticipated to result in adverse effects on built environment resources, a qualified architectural historian was retained to make cursory assessments of adjacent structures. Historical assessment of built environment resources is detailed in Appendix J. The project component and APE are listed below.

Project Component	APE
MPP Site	23 acres (3.0 acres subject to direct development)
Laydown/Off-Site Parking Areas	Sites 1 through 3 (approximately 5 acres total)

A pedestrian archaeological survey was conducted at the plant site and the three temporary use areas to inspect potential exposures of native surfaces. Archaeological survey coverage is detailed in Table 5.7.1, as well as in Appendix J.

5.7.1.2 Site Description

The MPP involves the construction and operation of a steam generating plant and the temporary use of several off-site areas for worker parking and/or equipment staging. The project components are described in detail in Section 3.0. The proposed MPP consists of the following major components:

TABLE 5.7-1

ARCHAEOLOGICAL SURVEY COVERAGE BY PROJECT COMPONENT AND FIELD CONDITIONS

Project Component	Field Conditions	Comments
Power Plant Site	1 percent ground visibility; entire facility is built environment.	Pedestrian field inspection, little visibility and few exposures.
Temporary Site 1. Primary Offsite Parking	Completely paved.	Cursory inspection-no visibility.
Temporary Site 2. Construction Laydown area	100% ground visibility; possibly fill.	Pedestrian field inspection.
Temporary Site 3. Secondary Offsite Parking	Completely paved.	Cursory inspection-no visibility.

MPP Site. The MPP will be located adjacent to the existing COB power facility at 164 Magnolia Boulevard in the City of Burbank, Los Angeles County, California (Figure 5.7-1). The COB facility currently is owned and operated by the City of Burbank. The SCPPA proposes to install a new combined-cycle unit adjacent to the existing COB facility. The existing electric generating station is currently comprised of seven gas-fired electric power generating units, including two combustion turbine generators and two steam turbine generators. Two steam turbine generators at the site were shut down in 1996, and two others were previously decommissioned. The structure that originally housed the dismantled units was constructed in 1941. Some existing structures at the facility will be demolished or partially demolished to make room for the MPP.

The proposed MPP would encompass the site of the two decommissioned and demolished generators. The facility would include a power island, switchyard upgrades to the existing Olive Switchyard, control and administrative buildings, wet mechanical-draft cooling towers, storage tanks, natural gas compressors, and other ancillary facilities. The proposed project also includes onsite pipelines for natural gas supply, water supply, and wastewater discharge, and site access and parking. The proposed project does not include any offsite linear facilities, but will require the temporary use of offsite areas for worker parking and/or equipment staging.

Off-Site Laydown/Parking Area. Three offsite areas are scheduled for ancillary use during project construction. All three sites lie just west of Interstate 5, at varying distances north of the MPP site. Site 1, the proposed primary offsite parking area, is a segment of Old Front Street, a paved dead-end street paralleling Interstate 5. The site extends for about 2 blocks north along Old Front Street from its dead end, just south of Magnolia Boulevard. Use of this site would not require any ground disturbance.

Site 2 is a proposed construction laydown area located about 1.25 miles north of the MPP site. The proposed site consists of a very narrow strip of vacant land along the west side of the Southern Pacific Railroad, between the railroad tracks and Victory Place, a paved road that parallels the tracks. This site is unpaved but level. No excavation is anticipated, although gravel may be placed on top of the existing soil.

Site 3 is a proposed secondary offsite parking lot located about 2 miles north of the MPP site, between the west side of the railroad and San Fernando Boulevard. Site 3 is paved and striped for parking. Its use would not entail any ground disturbance.

5.7.1.3 Natural History

Surficial sedimentary units of predominantly Pleistocene and Holocene age underlie the entire project area. These sediments include depositional sources that range from continental, alluvial fan-derived sediments to subaerial floodplain to marine terrace and near-shore deposits. Lithologies include sand, gravel, silt and clay. The majority of the MPP site is overlain by unconsolidated sediments of Holocene age, and possibly some imported fill.

The central Los Angeles Basin contains a diverse record of geologic and biologic history, spanning more than 30 million years and dating from the Miocene period. Under the combined influences of regional tectonic events, such as the deposition of sedimentary sequences within the Los Angeles Basin and fluctuating worldwide sea level changes over geologic time, fossils of marine and terrestrial organisms have accumulated to produce a significant record of prehistoric life.

The MPP site is located near the foot of the Verdugo Mountains, a small mountain range at the western margin of the San Gabriel Mountains. The site, which is about 2.5 miles north of the current channel of the Los Angeles River, is within the historic flood plain of the river and, like that river, drains south and southeastward. An unnamed creek, probably intermittent, once crossed the MPP site, but was diverted and channelized to just beyond the eastern margin of the site sometime after 1928. Rainfall averages about 12 inches per year in the Los Angeles Basin, and falls primarily between October and May. Historically, the vegetation of the project area included grassland, coastal sagebrush, and oak woodland.

5.7.1.4 Soils and Geology

Please refer to Section 5.3 (Geological Resources and Hazards) and Section 5.4 (Agriculture and Soils) for detailed descriptions of regional soil conditions and geology.

5.7.1.5 Disturbance within the Study Area

The primary sources of historic surface and subsurface disturbances in and adjacent to the project area are related to:

- Power stations, a sewage treatment facility, and related construction
- Typical residential and commercial expansions in the City of Burbank
- Freeway and railway development adjacent to the MPP site
- Diversion of a unnamed creek that formerly crossed the site and its channelization as the Burbank Western Channel, now immediately east of the MPP site.

5.7.1.6 Prehistory

The project site is located in the southeastern San Fernando Valley, Los Angeles County, California. Specifically, the proposed MPP is situated near the eastern margin of the San Fernando Valley, on alluvial deposits on the plain near the base of the Verdugo Mountains, bordering the east side of the valley.

Chronological Overview. The Los Angeles plain and fringing coastline have supported continuous cultural occupation for at least the last 8,000 years. An Archaic occupation has been identified in the archaeological record that reflects the early emergence of non-agricultural village-based groups in the Los Angeles Basin. Current archaeological evidence suggests that a relatively small population existed in the basin until approximately 2,000 years before present (BP). After that time, populations appear to have expanded considerably into resource-rich coastal and near-shore estuarine environments (Dillon, 1990). Reports from early European contacts to the area, such as Juan Rodríguez Cabrillo (Wagner, 1929) and Sebastian Vizcaino (Bolton, 1930), indicate that some of the large coastal villages had hundreds of occupants. These observations appear to be supported by the archaeological evidence (Bean and Smith, 1978) although, by the late 18th century, reports indicate that the Los Angeles environs supported only a small, though well-established, hunter/gatherer culture (Dillon, 1990).

Early Evidence.

Calico Hills. On the basis of what have been interpreted as possible chopping tools, scrapers, blade cores, and blades/bladelets found at the Calico Hills site near Barstow, some researchers (e.g., Leakey *et al.*, 1968; 1969; 1972; Schuiling, 1972; 1979) have postulated a

Native American hominid occupation in the California desert dating to the period between 200,000 to 500,000 BP. There is no firm archaeological evidence to support these claims.

Los Angeles Man. Partial remains of a skeleton referred to as "Los Angeles Man" were recovered from the ancient channel of the Los Angeles river in the Baldwin Hills area. The "Los Angeles Man" appeared to be contemporaneous with the partially preserved remains of an imperial mammoth. The remains, located some 370 meters (1,214 feet) apart (Moratto, 1984), revealed a similar fluorine content profile (Heizer and Cook, 1952) and were recovered within the same geological unit. It was only years after the discovery that the "Los Angeles Man" remains were finally dated and by then the mammoth remains were not available for comparative study (Dillon, 1990) and only the cranium of "Los Angeles Man" remained available for dating. The UCLA radiocarbon laboratory indicated the sample age to be >23,600 BP (UCLA sample #1430). Unfortunately, the sample (obtained from cranial bone collagen) was quite small and did not produce a confident date (Chartkoff and Chartkoff, 1984).

Marks that some researchers have interpreted as butchering cuts have been noted on the bones of saber-toothed cats recovered from the well-known Rancho La Brea tar pits, with uncalibrated radiocarbon dates of 15,200 +/- 800 BP (Moratto, 1984). If these cuts are in fact tool marks, then this material would provide the earliest solid evidence of human association within the Los Angeles Basin. Unfortunately, it is possible that the radiocarbon dates may not be accurate due to residual contamination as a result of saturation by asphaltum (Moratto, 1984). It must be noted that there is no well-corroborated evidence of human occupation in the Los Angeles Basin until roughly 10,000 BP.

Paleo-Indian Period. The "La Brea Woman", consisting of a cranium, mandible, and post-cranial remains of a 25-year old adult female, was recovered from Pit 10 at the Rancho La Brea tar pits. The remains were assigned to the Early Holocene period due to their geological association with avifaunal remains typical from that period (Dixon, 1999). A mano was recovered in proximity to the remains. Berger provides a radiometric date of 9000+/- 80 BP. (uncalibrated) (1975). The academic community generally accepts the "La Brea Woman" remains as the earliest confirmed Paleoindian evidence in the Los Angeles Basin. At 9000+/- 80 BP., this would make the "La Brea Woman" contemporaneous with the so-called "big game hunting tradition" found at that time across most of the North American continent (Willey, 1966; and *cf.* Dixon, 1999).

The earliest substantial evidence of occupation in the general project vicinity comes from the Del Rey bluffs (Lambert, 1983) along the southern fringes of the ancient outlet of the Los Angeles River, on the coast some 30 miles south of the project site. This evidence, mainly in the form of non-fluted points with a few crescents, appears to have typological connections with early desert sites to the east. Points collected by Lambert include Lake Mohave types

(Campbell *et al.*, 1937), San Dieguito types (Rogers, 1939), and Borax Lake points (Harrington, 1948). Based on the chronologies established at these inland regions, many of the Del Rey bluff artifacts may date as far back as 9,000 BP. (Dillon, 1990).

The Millingstone Horizon. In Southern California the Millingstone Period, also called the Millingstone Culture, extends to at least 6,000 BP and probably as far back to 8,500 BP (Warren, 1968; Wallace, 1955). Hard seed processing became one of the major components of subsistence during this period. Overall, the economy was based on plant collecting, but was supplemented by fishing and hunting. Initially in the near-shore and coastal locations, there also appears to have been infrequent exploitation of marine and estuarine resources (Wallace, 1955).

The Millingstone Horizon is typified by large, heavy ground stone milling tools such as deep basin metates and wedge-shaped manos, and large core/cobble choppers and scrapers (Dillon, 1990). The portable manos and metates that characterize the Millingstone lithic assemblage were undoubtedly used as portable processing equipment for collected plant materials. The reliance on this subsistence strategy and associated tools is further supported by the apparent scarcity of faunal remains at Millingstone sites. The flaked lithic tools generally represent a larger and cruder assemblage than is characteristic in the later periods. Projectile points and apparent hunting-type tools tend to be absent from Millingstone Culture assemblages. The so-called cogged stones, made by a characteristic pecking and grinding process, also are present in the Millingstone Horizon assemblages (Eberhardt, 1961).

Millingstone Horizon sites are found from Santa Barbara to Los Angeles County and into San Diego County, in both coastal and inland settings. In the Los Angeles area, the so-called Topanga Culture typifies the Millingstone Culture, with type sites from the Topanga Canyon area just south of Malibu (Wallace, 1955; Leonard, 1971). Topanga Culture sites have the typical Millingstone assemblage materials such as core/cobble tools and an abundance of ground stone implements (manos, metates), while projectile points tend to occur less frequently.

Meighan indicated that the Topanga Culture sites may date as far back as 8,000 BC (1959), and excavations at CA-LAn-1, also known as the "Tank Site," have revealed a multi-phase evolution of the Millingstone Culture probably going back to the aforementioned date (Treganza and Bierman, 1958). Based on the excavations at the Tank Site, it appears that Phase I ranges from roughly 8,000 to 4,000 BC, while Phase II ranges roughly between 5,000 BC and 2,500 BC. Excavations at the nearby LAn-2 site indicate that the Millingstone cultural tradition may have prevailed until 1,000 BC – much later than previously thought. However, it is important to note that pestles and mortars, as opposed to mano/metates, prevail in the assemblage (Johnson, 1966).

The Intermediate Period. This period has also been called the "Hunting Period" or "Middle Horizon." About 5,000 years ago, people of the Millingstone traditions, which relied heavily on vegetal food sources, began increasing utilization of animal proteins and marine resources. Procurement of plants for caloric intake was not necessarily replaced in kind by game hunting, but rather the local Millingstone dietary regimen began to expand in breadth to incorporate additional resources. In the Los Angeles Basin, a higher percentage of projectile points and smaller chipped stone tools appear. Marine resources such as estuarine and saltwater shellfish, marine mammals, and fish were now abundant in the diets of the local inhabitants.

However, as excavations at sites such as the Little Sycamore shellmound in coastal Ventura County (Wallace *et. al.*, 1956), the LAn-2 site in Topanga (Johnson, 1966), and the Gilmore Ranch site in eastern Ventura County (Wallace, 1955) indicate the transition in the archaeological record from the typical Millingstone assemblage to the Intermediate mortar/pestle and hunting tool kit is not well-marked. Specifically, manos and pestles appear in some instances as being contemporaneous, while at other sites, there is an adherence to the traditional Millingstone lifestyle. At Gilmore Ranch, more refined stemmed projectile points – unlike those in the Millingstone Horizon – are present, and yet the types are not necessarily akin to refined points typical of the Late Prehistoric Period.

The Late Prehistoric Period. Meighan (1954) first characterized the Late Prehistoric Period in Southern California. The period probably began sometime around the BC/AD transition, but probably expanded culturally around 500 AD with the introduction of the bow and arrow. The end of the period is recognized as the end of the 18th century, when the Spanish mission system was fully implemented. During the Late Prehistoric period, the ethnographic Gabrieliño lived in large villages along the Los Angeles coast and the wide valleys leading into the California interior, including much of the San Fernando Valley. Neighboring groups to the north and east included the Chumash, the Tataviam, and the Serrano. In the archaeological record, the rich Gabrieliño material culture (Johnston, 1962; Blackburn, 1963; Bean and Smith, 1978) may be indistinguishable from the Chumash (Landberg, 1965; Grant, 1965; 1978a; 1978b). The Gabrieliño language derives from Shoshonean stock, which suggests that the group may have originated from the east, perhaps from the eastern California deserts or the southern Great Basin (Kroeber, 1925). Unfortunately, there is not much archaeological evidence for the Gabrieliño occupation of the Los Angeles Basin, because rapid development within the last century has destroyed much of the archaeological database of the area.

Certain indicators, such as diagnostic shell beads and finely worked projectile points, help archaeologically identify many Late Prehistoric sites in Southern California. Among the coastal Gabrieliño, a maritime tradition carried over, at least in part from the Millingstone and Intermediate Period cultures (Harrington, 1978). By 1,000 BP the Canaliño/Chumash/

Gabrieliño maritime traditions were using blue-water vessels in an exploitation strategy partially based on deep-sea fishing and marine mammal hunting. During the Late Period, *circa* 900 to 200 years ago, a highly advanced fishing and hunting strategy developed that included the exploitation of a wider variety of fish and shellfish. These new subsistence strategies, coupled with the appearance of the bow and arrow, enabled a substantial increase in local populations, the development of permanent settlements, and a "money" economy based on the shell trade.

Prehistorically, both the Chumash and Gabrieliño produced distinctive polychrome pictographs (Grant, 1965). The Santa Monica Mountains pictograph site CA-LAn-717, featured red monochrome paintings in direct association with an archaeological deposit. Dillon (1990) notes that there were surely Gabrieliño pictograph sites in the lowlands of the Los Angeles Basin, but that these probably did not survive the massive development of Los Angeles.

5.7.1.7 Ethnohistoric Period

The project area is located within the ethnographic boundaries of the Gabrieliño (see Figure 5.7-2). The following discussion is synthesized from Dillon (1990), Bean and Smith (1978), Moratto (1984), and Grant (1978a; 1978b).

The Gabrieliño, speakers of a Shoshonean-based language from the eastern Californian deserts, probably arrived in the Los Angeles Basin late during the prehistoric period. These occupants of the San Fernando Valley, and the Los Angeles basin as far east as San Bernardino, may have numbered 5,000 at the time of Spanish contact.

Gabrieliño territory included four macro-environmental zones: the interior mountains and foothills, prairie, exposed coast, and sheltered coast. The subsistence and settlement patterns of the inhabitants of each of these zones were adapted to the local setting and resources. The MPP site falls within the prairie zone. Primary food resources in these areas included acorns, sage, yucca, deer, small rodents, cacti, and a wide variety of marsh animals, plants and birds. As in the other zones, virtually all settlements were situated near watercourses or springs. Primary subsistence villages were probably occupied continuously by larger groups, while smaller secondary gathering camps were used seasonally, possibly by family groups. The Gabrieliño had a high level of material culture and craftsmanship, with many cultural features in common with the Chumash, their neighbors immediately to the north. Their material culture included intricate basketry, woodcarving, fine stone objects, well-developed rock art and, on the coast, well-built sea-going canoes.

Antonio de la Ascención, a friar accompanying Viscaino in 1602, documented that the Gabrieliño of Santa Catalina Island were constantly trading with their mainland counterparts

(Ascención, 1615 [1929]). Steatite and shell ornaments, including the shell bead "money" (Ascención, 1615 [1929]), were the principal trade commodities. Bean and Smith (1978) estimate that perhaps 50 to 100 inhabitants occupied each Gabrieliño village at the time of the first Spanish contacts. The number of Gabrieliño in each household must have varied. Ascención (1615) noted that some huts were large enough to hold 50 people, but were considered "single family dwellings". However, Dillon noted the observation by Costanso (1911; Dillon, 1990) that multiple families lived in Gabrieliño houses on Santa Catalina Island.

The Gabrieliño traded and intermarried with the Chumash and other neighboring groups. As Dillon has indicated (1990), the coastal and inland areas were a more or less permeable ethnic frontier, continually in flux between the Chumash and the Gabrieliño groups at varying times in the archaeological record. Indeed, it is only in the latter part of the Late Prehistoric period - and even then only in certain marginal areas - that researchers can assume with any confidence which areas were typically Gabrieliño. Territorial boundaries are not well defined. However, there also was significant inter- and intra-group warfare. There may have been significant divisions between the inland and the coastal Gabrieliño, as well as between the Gabrieliño and their Chumash neighbors. Coastal Gabrieliño, with better access to coastal resources than inland Gabrieliño groups, may at times effectively have prevented inland Gabrieliño groups from directly accessing the sea for fishing and trading purposes (Bean and Smith, 1978).

The Chinigchinich cult, a religion which involved the use of the psychotropic plant *Datura*, or "Jimson weed," was practiced by Southern California groups during the protohistoric period, and probably prehistorically as well (Boscana, 1983). Boscana's informants, who were either Gabrieliño or Luiseño (Juaneño), were from the San Juan Capistrano Mission. Kroeber (1959), through Luiseño informants at San Juan Capistrano, maintains that the Chinigchinich cult had come over from Santa Catalina Island (hence, were originally Gabrieliño).

Hugo Reid, an immigrant from Scotland who became a Mexican citizen of Los Angeles and married a Gabrieliño woman, is considered to be an important source for Gabrieliño village names and locations (Dillon, 1990). He noted 28 Gabrieliño villages or place names known to him from the 1830s and 1840s (Dakin, 1978). A number of additional village names have been collected from Mission records by Chester King (King, 2000). A village possibly known as Tobpet may have been located in the Burbank vicinity (King, 2000).

The first recorded European contact with the Gabrieliño was by Juan Rodríguez Cabrillo in October of 1542 (Wagner, 1929). However, it was not until 1769 that Portola made the first Spanish overland expedition through present day Los Angeles County. Prior to that time, the Spanish were focused on the immediate coast and islands. Hence, the interior Gabrieliño

probably had little European contact prior to Portola's journey. While in route from San Diego to Monterey Bay, Portola stopped at an interior Gabrieliño village called Yang'na, situated on the western bank of the Los Angeles River, near what is now downtown Los Angeles. From there, Portola and his crew traveled northwest, through the Sepulveda Pass (now the 405 freeway), and into the San Fernando Valley.

In 1771, two years after Portola's expedition, Mission San Gabriel Archangel was founded at the northeast end of the San Fernando Valley, some 20 miles north of the later location of Burbank. Local Native Americans were encouraged, and sometimes coerced, to move to the mission area. The San Gabriel mission became the center of Gabrieliño culture during the earliest part of the historic period. Mission San Fernando Rey del España, 20 miles south of the MPP site, was not founded until 1797. Established much later, after the first mission had taken its toll on the Gabrieliño, San Fernando drew heavily on the surrounding populations as well as on the remaining Gabrieliño. Its residents included a mixed population of Serrano, Luiseno, Cahuilla and other groups. It was standard practice during the Spanish and Mexican periods to name the local inhabitants after the local Catholic Mission (Johnston, 1962; La Lone, 1980). The Gabrieliño people of the San Fernando Valley became known as the Fernandeño, a subgroup of the Gabrieliño. The MPP site is located about midway between the two missions.

By 1832, the Spanish had baptized 7,825 Native Americans at the San Gabriel Mission. At that time, there were no remaining Native Americans living on the Los Angeles plain or the adjacent coast. By the 1850s, the Gabrieliño ethnic identity had been almost entirely suppressed by the rapidly expanding Los Angeles population, and by the end of the 1800s, there were few remaining Gabrieliño with direct knowledge of their language and culture (Dillon, 1990).

5.7.1.8 Historic Setting

The MPP site lies in the City of Burbank, Los Angeles County. The discussion below is synthesized from Dillon (1990) and general common knowledge of the Los Angeles area. Specific information about the history of Burbank was drawn from an Internet page, *http://www.burbank.acityline.com/history.html* (February 9, 2001).

The pueblo of Los Angeles was founded as a Spanish settlement on September 4, 1781. Portola named the settlement El Pueblo de Nuestra Señora de la Reina de los Angeles de Porciuncula. The pueblo's original lands, located about 15 miles south of the MPP site, consisted of approximately four square leagues near the Los Angeles River. By 1800, the town had some 30 adobe houses and had become an important trading stop along the Santa Fe Trail. In 1800, a flood from the Los Angeles River caught the town unaware;

subsequently, the town was relocated to higher elevations. The new plaza was built on Wine Street, since renamed Olvera Street.

The City of Burbank originally was part of two separate Spanish land grants. The Rancho San Rafael grant, to the north, was made to Jose Maria Verdugo in 1798 and subsequently confirmed by the U.S. Land Commission in 1855. The second grant was known as Rancho la Providencia, and was located to the south. After Mexican independence from Spain in 1824, the Mexicans continued the general pattern of settlement in California established by the Spanish government. The Mexican government also began to grant private land holdings to Mexican and foreign settlers. The ranchos were generally clustered in the vicinity of former Spanish coastal settlements, with a few located in the interior. All across California, settlements established as ranchos under Spanish and later Mexican rule formed the basis for many emerging towns and cities (Hoover et. al, 1966).

By the 1830s, Los Angeles had roughly 1,500 inhabitants (Dakin, 1978). The town was made California's capitol in 1835. When the nearby missions were secularized (1833 to 1834), the San Gabriel and San Fernando Mission lands were parceled off to Mexican grantees. Native Americans living there were dispersed, and some erected brush houses at the margin of the pueblo of Los Angeles. Between 1836 and 1845, these Native Americans were concentrated in a barrio known as the Rancheria de los Poblanos, near the southeast corner of Commercial and Alameda Streets in Los Angeles. In 1845 the City sold this land into private hands, and the Native Americans were again moved to the east. During the Mexican War of 1846 to 1848, Los Angeles was the most important city on the Mexican-held Pacific Coast. In 1848, the Treaty of Guadelupe Hidalgo confirmed California as an American possession. The Gold Rush of 1848 shifted attention away from Los Angeles, and by the time California became a state in 1850 the Los Angeles area was something of a backwater.

Los Angeles slowly began to develop as a trading and transport center during the 1860s and 1870s. There was a minor boom when gold was discovered in the Inyo Mountains. The silver strike at Cerro Gordo near Owens Lake also funneled many prospectors to and through Los Angeles. By the close of the 1860s, Los Angeles still had a population of only 5,000 or so inhabitants, but steady growth was being fueled by the state's increasing population and settlement. By 1880, Los Angeles had over 10,000 people.

American settlers had purchased much of the former rancho lands around what was to become Burbank in the 1850s and 1860s. Dr. David Burbank ran an extremely successful sheep ranch there from that time until 1886 or 1887, when he sold his lands to the Providencia Land, Water and Development Company. In 1886, developers cleared the 60-acre Burbank townsite plot, surrounded by farms, vineyards and orchards, and began to sell lots. The town was sited in part to take advantage of the new Santa Fe railroad, which completed its link to Los Angeles in 1887. As a measure to prevent land speculation, purchasers at the town site were required to spend at least $2,000 on improvements in the

first six months of ownership. Thirty houses were built immediately and a few businesses were started. However, the boom was short-lived. Many people lost their lands for delinquent taxes, and development halted for nearly two decades.

The rail connection, however, helped to facilitate the big citrus boom in the Los Angeles Basin, and the population began to rise. Towards the end of the 1800s, the petroleum industry in Los Angeles also picked up significantly. On May 30, 1897, the first car was driven through the streets of Los Angeles. By 1915, Los Angeles County had 750,000 inhabitants and 55,217 automobiles. The use of automobiles contributed to the sprawling development pattern of the succeeding decades.

Burbank was incorporated as a city in 1911, with a population of 500. In the same year, a Pacific Electric Streetcar line connected Burbank with Glendale. Bonds were raised for municipal water and electrical facilities. The City purchased land to establish Moreland Truck Company, a major industry. Burbank's population climbed to 2,913 by 1920, and to 16,662 by 1930. Significant to development during this period were the establishment of the movie industry and the building of the Lockheed Aircraft facility. Hoover Dam, completed in 1935, created a source of inexpensive power for southern California. The COB quickly seized the opportunity to distribute power, and constructed a power plant adjacent to the MPP site in 1941. The City continued to flourish and expand through municipal development and the other established industries. Current population is about 100,000.

A series of aerial photos and Sanborn insurance maps of the MPP site and vicinity show the sequence of development in the immediate vicinity of the project site. There was little development in Burbank in the first decades of the 20th century, aside from the few downtown blocks, northeast of what was later to be Interstate 5. By 1928, a major network of paved roads, including Magnolia Boulevard and Olive Avenue, had been established. In that year the northwestern half of the MPP site was apparently under cultivation, probably as a vineyard or possibly an orchard, surrounded by scattered farm buildings or rural residences. A meandering stream channel, at least in part channelized, bisected the site about midway between the railway and Lake Street. Two structures, a dwelling and an outbuilding, stood to the northeast of this channel, near Magnolia Boulevard (aerial photo 1928; Sanborn map 1923). A 1941 Sanborn map indicates that the watercourse had been moved to its present location in a concrete-lined channel at the eastern margin of the project site and was known as the Burbank Western Flood Control Channel.

The structures shown in the 1928 aerial photo were still present in 1941, but the water channel now lay to their northeast. The cultivated areas of 1928 had, by 1941, been supplanted by the first structures of the COB Power Station, including a temporary office building southwest of the earlier structures, a steam and electric power plant (at a location adjacent to the proposed MPP), an administrative building, cooling towers, and other

ancillary facilities along Lake Street and in the western quadrant of the plant site. Most of the northeastern portion of the plant site was vacant in 1941. The COB plant site configuration on a 1952 aerial photo appears much as it does today. A 1950 Sanborn map shows that the 1928 dwelling and outbuilding were still present at that date. In a 1952 aerial photo, it is unclear whether they were present, but by the time of an aerial photo in 1968 the dwelling and outbuilding were gone.

5.7.1.9 Native American Consultation

The Native American correspondence conducted on behalf of the proposed MPP and discussed below, including consultation letters, Native American mailing list, telecommunication notes, follow-up letters, and responses are confidential. Copies are appended to the confidential Cultural Resources Technical Report, Appendix J.

The California Native American Heritage Commission (NAHC) was contacted on February 5, 2001 for a list of local Native American groups and/or individuals with direct or indirect knowledge of cultural resources within or near the project area. These consultations also sought to identify any sacred lands within the proposed project area (including a 1-mile radius study area) identified in the NAHC's Sacred Lands File. A response facsimile, dated February 9, 2001, indicated that the Sacred Lands File of the NAHC did not reveal any Native American cultural resources in the immediate project area.

Letters describing the MPP and a map of the proposed site were sent by priority mail on February 12, 2001, with delivery confirmation, to 15 groups or individuals identified by the NAHC as appropriate contacts for Los Angeles County. The letters inquired whether the groups/individuals had any concerns or knowledge regarding the project area, or wished to provide input regarding cultural resources in the project area. No responses had been received as of March 13, 2001.

The Applicant is committed to forwarding copies of all correspondence to the CEC that may be received subsequent to submission of the AFC.

5.7.1.10 Key Personnel Qualifications

The cultural resources personnel who conducted and/or supervised the field survey and prepared the Technical Reports and AFC Section 5.7 are:

- Sally Salzman Morgan, MA (archaeologist, Principal Investigator for the project)
- Stephen Mikesell, MA (architectural historian, JRP Historical Consultants)
- Meta Bunse, BA (architectural history technician, JRP).

Ms. Morgan meets the professional standards of the Secretary of the Interior for archaeological work (Standards and Guidelines for Archaeology and Historic Preservation, National Park Service, 1983) and is certified by the Register of Professional Archaeologists.

Mr. Mikesell meets the professional standards of the Secretary of the Interior, as an architectural historian (Standards and Guidelines for Archaeology and Historic Preservation, National Park Service, 1983). Ms. Bunse worked under the direct supervision of Mr. Mikesell.

5.7.1.11 Records Searches

Prior to initiation of the cultural resources inventory, pre-field research was conducted to identify the extent of prior archaeological surveys and known cultural resources within or adjacent to the project areas. Bibliographic references and previous survey reports were compiled through records searches at the South Central Coast Information Center (SCCIC) of the California Historical Resources Information System (CHRIS) at California State University, Fullerton (February 8, 2001). The MPP site was searched with a 1-mile-wide study area for archaeological resources and a ¼-mile wide study area for historic structures and buildings. The search for the MPP site included the proposed primary offsite parking location, but did not include temporary use Sites 2 and 3.

The SCCIC searches included a review of all previously recorded sites, surveys, historical listings, and historical maps within the project areas and the specified study area. Review of the existing archaeological survey information indicated that there had been no previous archaeological survey of the project site, but there had been two block surveys and two linear surveys in the near vicinity of the site. No previously recorded archaeological resources were reported within the search radius. One National Register-listed structure is present within ¼-mile of the plant site, but separated from the plant site by an elevated freeway.

It is important to note that a significant backlog of unprocessed reports exists at the SCCIC. Due to limited resources and increasing workload, the SCCIC is unable to process new cultural resources studies and field surveys immediately upon receipt. A study that has not been processed has not been assigned a formal number, and the extent of the related survey coverage may not be shown on the master maps at the SCCIC. Furthermore, the SCCIC does not always receive a copy of the reports generated for studies within their jurisdiction. The SCCIC's current backlog of reports received - but not yet entered - extends as far as the 1970s in some cases, and most studies conducted within 1 year have not been processed (Lopez, 2000). Therefore, recently conducted archaeological research may not be included in the results of a record search.

Data relating to all previous archaeological surveys and previously recorded archaeological sites within or adjacent to the project APE were compiled. Reviews for the project area also were made of the National Register of Historic Places (NRHP) (National Association of State Historic Preservation Officers *et al.,* 1988), quarterly updates to the Historic Resources Inventory (Office of Historic Preservation, 2000), California Historical Landmarks (Office of Historic Preservation, 1997), and Points of Historic Interest (Office of Historic Preservation, 1992), for any listed or eligible properties and locally listed historic properties and structures within the specified search radius. Records search data are summarized in Tables 5.7-2, 5.7-3 and 5.7-4.

In addition to the SCCIC records search, archival research included inspection of historic Sanborn insurance maps from 1923 through the 1950s, and a series of aerial photos of the MPP site from 1928, 1952, and other dates up to the present.

Previous Cultural Resource Surveys within Project APE or Adjacent Study Area. Six cultural resource studies on file with the SCCIC have been conducted within the project APE and/or the given search radius. References and brief overviews of the previous surveys are given in Table 5.7-2.

Previously Recorded Archaeological Sites within the Project APE. There are no previously recorded archaeological resources located within the project APE (see Table 5.7-3).

Previously Recorded Sites within Adjacent Study Areas (Outside Project APE). No archaeological sites have been documented within a 1-mile radius of the project APE (Table 5.7-4). A single historic structure was reported within the search radius outside the APE (see Figure 5.7-3 and Table 5.7-4). This is the National Register-listed United States Post Office Downtown Burbank Station, at 125 E. Olive Avenue, Burbank. This location is about 3 blocks northeast of the project site on the opposite side of Interstate 5 from the project. The historic building is not visible from the MPP site, nor can the site be seen from the historic building.

Field Survey. Preparation for the cultural resources field survey consisted of an archival inventory and overview of all known cultural resources within the study area. This study provided the basis for evaluating project impacts and assessing current survey requirements and determining cultural resources likely to be present in the project area. Review of the existing archaeological survey information indicated that only limited portions of the project area had previously undergone archaeological survey, indicating the need for field inventory.

TABLE 5.7-2

PREVIOUS CULTURAL RESOURCE STUDIES WITHIN THE MPP APE OR ADJACENT ONE-MILE RADIUS STUDY AREA

Reference/Survey Number	Reference Summary
Dames and Moore (1988) [LA-0160]	This report documents a linear archaeological field survey conducted for the Fiber Optic Cable Project, Burbank to Santa Barbara, CA for US Sprint Communications Co. No sites were documented within the project study area.
Singer, Clay and John Atwood (1989) [LA-1798]	This report documents a cultural resources survey and impact assessment of 41 acres for the proposed Burbank Gateway Center, Los Angeles County, California. No cultural resources were documented during this project.
Dillon, Brian (1991) [LA-2370], [LA-3802]	An archaeological and historical cultural resources study of the Burbank Water Reclamation Plant Expansion Project, Burbank, Los Angeles County, California. No cultural resources were documented during this project.
Peak and Associates (1992) [LA-2950]	A cultural resource study for the Pacific Pipeline Project, which involved the survey of a linear route extending from Santa Barbara to the Chevron Refinery in El Segundo. Numerous cultural resources were documented during this survey, however none of these were located within or adjacent to the MPP. The survey corridor ran adjacent to the NE edge of the proposed project.
Peak and Associates (1991) [LA-2645]	An archaeological inventory of 58 linear miles of the proposed Carpinteria and Southern Reroutes (fiber optic lines), Santa Barbara, Ventura, and Los Angeles counties, California. No cultural resources were documented in or within one mile of the MPP area.
McKenna, Jeanette (1999) [LA-4458]	Cultural resources investigations and building evaluations for the proposed Burbank Plaza Project in the COB, Los Angeles, California. No cultural resources were recorded.

TABLE 5.7-3

PREVIOUSLY RECORDED ARCHAEOLOGICAL SITES WITHIN ADJACENT STUDY AREAS (WITHIN MPP APE)

Survey No.	Site No.	USGS 7.5' Quad/ Project Segment	Site Type	Primary Reference	Type of Investigation	Status
NO PREVIOUSLY RECORDED ARCHAEOLOGICAL SITES EXIST WITHIN THE MPP APE.						

TABLE 5.7-4

PREVIOUSLY RECORDED ARCHAEOLOGICAL SITES WITHIN ADJACENT STUDY AREAS (OUTSIDE MPP APE)

Survey No.	Site No.	USGS 7.5' Quad/ Project Segment	Site Type	Primary Reference	Type of Investigation	Status
1510-0001-0000	033695 (OHP data file number)	Burbank: ¼ mile from MPP site	Historic structure	OHP, National Register of Historic Places	Survey	1S-listed on NRHP

A pedestrian survey was conducted at the MPP site, although it was of limited utility due to the extensive buildout and paving of the site. All three temporary use sites were also subjected to archaeological survey. Essentially, the bibliographic survey, coupled with the project field survey, facilitates an accurate assessment of the cultural resources possibly affected by the construction and operation of the MPP.

Survey Methodology and Coverage.

Archaeology. Figure 5.7-3 illustrates the project site surveyed for cultural resources, and Table 5.7-1 gives the specific coverage details and field conditions encountered at the MPP site. Sally Salzman Morgan, URS Corporation, conducted the field inventory of the plant site for archaeological resources on February 5, 2001. The existing COB plant site was surveyed on foot. Systematic, regularly-spaced transects were not employed, as the plant site is built up and almost completely paved, precluding observation of native surfaces. In one area, soil was exposed in a berm erected around a storage tank. Ms. Morgan inspected this exposed soil for indications of cultural resources; it was evident that the exposed material was modern fill. No cultural resources were detected within the APE in the areas surveyed (see Table 5.7-5 and Appendix J).

All three of the temporary offsite locations were surveyed on February 27, 2001. Sites 1 and 3 are paved, and no soil was visible for inspection. Site 2 is a graded right of way adjacent to a railway. The soil at this site was completely exposed, although there may be a fill component. No cultural resources were observed.

Built Environment. Stephen D. Mikesell and Meta Bunse of JRP Historical Consulting Services conducted an onsite historic evaluation of existing structures on the power plant site on February 15, 2001. Background research was conducted to provide a historical context for the construction and use of each structure on the plant site. All structures were documented and photographed. The existing generating site was evaluated to determine if the complex or any of its structures qualified for listing in the NRHP, or as a historic resource under applicable guidelines (Section 15064.5 (a)(2)-(3) of CEQA). In addition, Mr. Mikesell and Ms. Bunse performed a "windshield survey" of properties adjacent to the MPP site to characterize the neighborhood and to determine whether structures over 50 years in age were present.

The results of the assessment are further presented in Section 5.7.1.11, under Current Survey Results, and detailed in Technical Appendix J.

No structures are present on any of the temporary use sites.

TABLE 5.7-5

NEWLY RECORDED SITES OR ISOLATES WITHIN THE MPP APE

Site No.	USGS 7.5' Quad	Project Component	Site Type	Resources Present	Status
NO ARCHAEOLOGICAL SITES OR ISOLATES WERE RECORDED DURING THE FIELD INVENTORY.					

Newly Recorded Sites and Isolates. No new archaeological sites or isolates were recorded during the survey. (See Table 5.7-6).

5.7.1.12 Survey Results

This section presents the results of the cultural resources records search and pedestrian survey.

5.7.1.12.1 MPP Site.

Topography, Soils, and Existing Conditions. The MPP site is located on the existing 23-acre COB power generating facility site at the southeastern end of the San Fernando Valley, in the COB. The power plant site is bounded by Magnolia Boulevard to the northwest, the Burbank Western Channel and Interstate 5 to the northeast, Olive Avenue to the southeast, and Lake Street to the southwest. The existing COB generating station is comprised of four gas-fired, electric power generating units, including two combustion turbine generators and two steam turbine generators. Two outmoded steam turbine generators at the site were shut down in 1996, and two others have been decommissioned and demolished. The 1941 structure that housed the demolished units is still standing but has been gutted. Some existing structures at the facility will be demolished or partially demolished to make room for the MPP.

Previous Work. No prior cultural resource surveys have been conducted on the MPP site and no previously recorded sites are located on the subject lands. Previous survey LA-02950 (Peak & Assoc., 1992) was a linear survey along the railway corridor that parallels the eastern Burbank Western Channel, about ½-block northeast of the MPP site. Several structures dating to the 1940s and 1950s, as well as structures dating to the late 20th century, are present on the site. No known previous historic evaluations have been conducted on these structures.

Current Survey Results.

Archaeology. The MPP site was surveyed utilizing pedestrian inspection. No archaeological sites were detected within the MPP site. Historic data (Sanborn maps and aerial photos discussed above) indicate that in 1928 there was a dwelling and associated outbuilding (probably a garage) located in the northern quarter of the site near Magnolia Boulevard. Aerial photos indicate that these structures were demolished sometime in the 1950s. During informal conversations with employees at the existing COB plant, it was

TABLE 5.7-6

NEWLY RECORDED SITES WITHIN ADJACENT STUDY AREAS (OUTSIDE PROJECT APE)

Site No.	USGS 7.5' Quad	Project Component	Site Type	Resources present	Status
NO ARCHAEOLOGICAL SITES OR ISOLATES WERE RECORDED DURING THE FIELD INVENTORY.					

learned that during excavations related to maintenance at some time in the past they had uncovered tree stumps and evidence of a cess pit in the presumed vicinity of the dwelling. No artifacts, structural remains or distinctive features have been reported, nor does any evidence of this feature survive on the site surface. Disturbed materials related to these features may still be present below the surface in this vicinity. It appears unlikely, however, that anything remaining would retain historic integrity since it is known that there has been previous excavation in this area. Preliminary historic research at the Burbank Historic Society (Sheffield, 2001) failed to recover any additional historic data about this dwelling or its inhabitants.

Built Environment. An historic evaluation of the structures and buildings on the existing plant site was conducted on February 15, 2001 by Stephen D. Mikesell and Meta Bunse of JRP Historical Consulting Services. Background research was conducted to provide a historical context for the construction and use of each structure. All structures were documented and photographed. The existing generating station as a whole was evaluated to determine if the complex qualifies for listing in the NRHP, or as a historic resource under applicable guidelines (Section 15064.5 (a)(2)-(3)) of CEQA. It was concluded that the existing COB Power Plant is not historically significant. Although small parts of the facility date to the late 1930s and early 1940s, the majority of the buildings and structures are less than 50 years old. While the property is of some historic interest for its role in wartime production during World War II, and for the "modernistic" design of a few of the buildings, the complex as a whole does not retain sufficient integrity to warrant listing on the NRHP or California Register of Historic Resources (CRHR), nor do any of the buildings appear to be individually eligible. For these reasons it is concluded that the existing plant does not qualify as a historic resource under applicable state laws, regulations and guidelines. However, efforts to preserve the visual integrity of the original structure are currently an element design process.

A windshield survey of the streets adjacent to the plant site also revealed no structures or districts that appear to be eligible for the NRHP or the CRHR. Most structures in the area, which predominantly consists of light industrial development, appear to be less than 50 years old. Furthermore, the surrounding neighborhood is effectively shielded from the MPP site by a high security wall around the existing COB facility.

5.7.1.12.2 Laydown/Offsite Parking Areas.

Topography, Soils, and Existing Conditions. Sites 1 and 3 are completely paved level areas, adjacent to the railway line. Site 2 is a graded level area, also adjacent to the railway line.

Previous Work. The surveys that are recorded for the MPP site also crossed temporary Site 1. It is unknown whether there has been any previous work at Sites 2 or 3.

Current Survey Results.

Archaeology. No cultural resources are evident at any of the temporary use sites. Sites 1 and 3 are paved and afforded no soil for inspection.

Built Environment. There are no structures on any of the temporary use sites. The proposed temporary uses have no potential to significantly affect adjacent structures.

5.7.2 Environmental Consequences

With few exceptions, the potential effects of any project upon cultural resources are evaluated under the CEQA and/or the National Environmental Policy Act (NEPA). The MPP currently does not require an assessment with respect to the requirements of NEPA because the proposed facilities do not cross federal lands or include funding or permits that would trigger compliance with the NHPA. This AFC will serve as CEQA environmental documentation.

In the event of federal involvement, the AFC for the MPP would require compliance with Section 106 of the NHPA and its implementing regulations, set forth at 36 CFR 800. In any event, the California state and federal criteria for evaluating cultural resources are consistent and generally interchangeable, and therefore application of one set of cultural resources evaluation criteria essentially ensures conformance with the other.

State Level Mandates

Cultural resources include archaeological and historical objects, sites and districts, historic buildings and structures, cultural landscapes, and sites and resources of concern to local Native American and other ethnic groups. All cultural resources work conducted for the MPP is consistent with compliance procedures set forth in CEQA Sections 15064.5 and 15126.4, and, in the case of federal involvement, Section 106 of the NHPA, set forth at 36 CFR 800.

In considering impact significance under CEQA or NHPA, the significance of the resource itself must first be determined. At the state level, consideration of significance as an "…important archaeological resource" is measured by cultural resource provisions considered under CEQA Sections 15064.5 and 15126.4, and the draft criteria regarding resource eligibility to the CRHR.

Generally, under CEQA, a historical resource (these include built-environment historic and prehistoric archaeological resources) is considered significant if it meets the criteria for

listing on the CRHR. These criteria are set forth in Section 15064.5. A significant cultural resource, termed a "historic resource," is defined as any resource that:

a. is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage

b. is associated with lives of persons important in our past

c. embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values

d. has yielded, or may be likely to yield, information important in prehistory or history.

Section 15064.5 of CEQA also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are detailed under Public Resources Code (PRC) 5097.98.

Impacts to "unique archaeological resources" and "unique paleontological resources" are also considered under CEQA, as described under PRC 21083.2. A unique archaeological resource implies an archaeological artifact, object, or site about which it can be clearly demonstrated that - without merely adding to the current body of knowledge - there is a high probability that it meets one of the following criteria:

1. The archaeological artifact, object, or site contains information needed to answer important scientific questions and there is a demonstrable public interest in that information.

2. The archaeological artifact, object, or site has a special and particular quality, such as being the oldest of its type or the best available example of its type.

3. The archaeological artifact, object, or site is directly associated with a scientifically recognized important prehistoric or historic event or person.

A non-unique archaeological resource indicates an archaeological artifact, object, or site that does not meet the above criteria. Impacts to non-unique archaeological resources and resources which do not qualify for listing on the CRHR receive no further consideration under CEQA.

Under CEQA Section 15064.5, a project potentially would have significant impacts if it would cause substantial adverse change in the significance of:

- A historical resource (i.e., a cultural resource eligible for the CRHR)

- A archaeological resource (defined as an unique archaeological resource which does not meet CRHR criteria)

- A unique paleontological resource or unique geologic feature (i.e., it would directly or indirectly destroy a site)

- Human remains (i.e., it would disturb or destroy burials).

A non-unique archaeological or paleontological resource is given no further consideration, other than the simple recording of its existence by the lead agency.

Criteria for eligibility for the CRHR are very similar to those that qualify a property for the NRHP, which is the significance assessment tool used under the NHPA. The criteria of the NRHP apply when a project has federal involvement. Note that a property that is eligible for the NRHP is also eligible for the CRHR. On projects with federal involvement, impacts to significant resources are assessed and addressed under the procedures of Section 106 of the NHPA, set forth at 36 CFR 800. At present, this project has no federal involvement.

All resources encountered during the mitigation and monitoring phases of the MPP, with the exception of isolate artifacts and isolate features that appear to lack integrity or data potential, will be evaluated for significance vis-à-vis the CRHR and CEQA criteria described above. If a resource is found to be significant, then it will be subject to avoidance through alterations in project design when feasible. In the event that avoidance of cultural resources is not possible via project design modifications, appropriate mitigation will be carried out in accordance with mitigation conditions described below and CEC requirements.

No archaeological or historic architectural sites have been located within the project APE or adjacent study areas. Should any resources be uncovered during construction, for purposes of analysis all cultural resources, with the exception of isolate artifacts that appear to lack integrity or data potential, will be treated as potentially significant until formally evaluated.

Federal Level Mandates

The legal frameworks for addressing cultural resources at the federal and state level are generally equivalent. The four criteria for evaluation established by the NRHP, listed below, are identified at 36 CFR 60.4 and are in accordance with the regulations outlined in 36 CFR 800 established by the Advisory Council on Historic Preservation (ACHP).

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

a) Resources that are associated with events that have made a significant contribution to the broad patterns of our history

b) Resources that are associated with the lives of persons significant in our past

c) Resources that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction

d) Resources that have yielded, or may be likely to yield, information important in prehistory or history (36 CFR Section 60.4).

Hence, these evaluating criteria are used help determine what properties should be considered for protection from destruction or impairment (36 CFR Section 60.2).

Although the project is not considered a federal undertaking at this time, the legal framework for addressing cultural resources at the federal and state level are generally equivalent and are used somewhat interchangeably herein. If a U.S. Army Corps of Engineers (USACE) Section 404 permit is required, compliance with Section 106 of the NHPA may be invoked for those portions of the project subject to such a permit.

As noted above, impacts to identified cultural resources must be considered if the resource is an "important" or "unique archaeological resource," under the provisions of CEQA Sections 15064.5 and 15126.4 and the eligibility criteria, or a "historic property" as defined in the NHPA and its implementing regulations. In many cases, determination of a resource's eligibility can be made only through extensive research and archaeological testing. Because this may be costly and time-consuming, it is recommended that whenever possible, all cultural resources be avoided to the maximum extent feasible. Furthermore, archaeological deposits are unique and non-renewable; in them in many cases complete avoidance is the preferred method for preserving the data.

5.7.2.1 MPP Site

No impacts to known archaeological resources are anticipated at the MPP site. As discussed above, archival data indicate that there were two structures on the site prior to 1928, and associated remains were discovered beneath the surface at some time in the past. It is

possible that archaeological deposits or features associated with the 1928 dwelling might still be present under the ground surface in this area, and might be encountered if excavation in the vicinity extends below the zone of already disturbed soil. If any such feature survived the reported maintenance excavation in this area, it almost certainly would have been disturbed by demolition and plant maintenance, and thus would be anticipated to have diminished historic integrity. Nonetheless, it is possible that remnant features or deposits associated with the 1928 dwelling are present in the northern quadrant of the site, and might be encountered if excavation work is undertaken there. If features or deposits should be uncovered during construction, an assessment of their significance and integrity would be necessary at that time. If a feature were present and appeared to be significant, project construction could result in cultural resources impacts.

The existing COB plant collectively and its individual pre-1955 buildings have been evaluated by the project architectural historian as built environment resources. Both the site and its individual buildings were assessed as non-significant and therefore ineligible for the NRHP and CRHR. Therefore, the proposed MPP, including partial destruction of one existing structure at the existing COB facility, are not considered significant cultural resources impacts.

5.7.2.2 Temporary Use Site

There are no known cultural resources at any of these sites. No cultural resources impacts are anticipated.

5.7.2.3 Direct, Indirect and Cumulative Impacts

Direct Impacts. Direct impacts are typically associated with construction activity. They have the potential to immediately alter, diminish or destroy all or part of the character and quality of significant historic and archaeological resources. The construction, operation and maintenance of the MPP are not expected to result in significant new direct impacts to the known cultural resource base, since no cultural resources that appear to qualify as historic properties or historic resources have been identified. Undiscovered cultural resources could be affected by construction-related activities, should they be encountered during construction. Provisions for such an occurrence are provided in Section 5.7.3.2.

Indirect Impacts. As defined in the Caltrans Guidance for Consultants (Caltrans 1991), indirect impacts

> *…are related to the primary consequences of the completed project and may be several steps removed from the project in the chain of cause and effect. Indirect impacts normally can be expected to cause change in the character or*

> *use of built environment by the introduction of undesirable auditory or visual intrusions. Noise and vibration activity itself may be considered indirect effects…*

There appear to be no significant built environment properties on or adjacent to the MPP site. Furthermore, the surrounding businesses are effectively shielded from the site by a high security wall at the perimeter of the existing COB facility. Therefore, the construction, operation and maintenance of the MPP are not expected to result in significant new indirect impacts to the built environment cultural resource base. The proposed action appears to have no potential for indirect adverse effects upon built environment resources.

Cumulative Impacts. Section 5.18 describes past, present and reasonably foreseeable projects that could affect the same resources as the MPP. The reader is referred to that section for details regarding each of these projects.

These projects were assessed in conjunction with the MPP to ascertain the potential contribution of the MPP to cumulative impacts to the cultural resource base. Based on this analysis it has been concluded that the potential contributions of the MPP to cumulative impacts on the regional cultural resource base are limited because implementation of the mitigation measures proposed below for cultural resources will reduce potential project-related impacts to a less-than-significant level. No archaeological resources were identified in or near this project. The types of sites that might be expected typically derive their potential significance from their potential to yield information important in prehistory. Although no archaeological sites have been identified that would be affected by the proposed project, in the event that such a site were encountered, data recovery at significant sites and/or site avoidance ensures that the information content of significant archaeological resource sites will be retained. Thus, the contribution of cumulative impacts from the MPP on the regional cultural resources base for this project is limited. Likewise, no potentially significant built-environment resources have been identified that would directly or indirectly be impacted by the proposed project. Therefore, there would be no contribution of cumulative impacts from the MPP on the regional built environment cultural resources base.

5.7.3 Mitigation

5.7.3.1 Mitigation of Construction Related Impacts

Mitigation under CEQA Sections 15064.5 and 15126.4 must address impacts *to the values* for which a cultural resource is considered important. To mitigate adequately, it must therefore be determined what elements make a site eligible for the CRHR and/or NRHP. As noted previously and detailed below, the first line of mitigation when feasible is complete avoidance of all cultural resources.

Measures to ensure avoidance of sites within the corridors, and measures to avoid indirect impacts to nearby sites are described below. The mitigation measures and procedures described below would apply to any cultural resources in the project APE, other than isolates, or sites recommended as not significant (with concurrence by the CEC), regardless of facility component.

CULT-1: Avoidance. Project facilities will be located at the greatest possible distance from any recorded cultural resource not previously found to be ineligible for inclusion on the CRHR. As needed, an archaeologist will accompany the project engineer to the field to demarcate site boundaries on the ground and to ensure that proposed facility placement will not impinge on a site. Areas not already surveyed for cultural resources will be subjected to archaeological survey prior to construction. If a potentially significant cultural resource is discovered, the proposed use of the facility will be modified to avoid the resource. If there is no feasible means to avoid the resource, the site will be assessed, through testing if necessary and, if the resource is found to be significant, the measures for mitigation described below will be applied. These will be done in consultation with the CEC, which is the lead regulatory agency.

CULT-2: Physical Demarcation and Protection. In instances where a project facility must be placed within 100 feet of a known site not previously found to be ineligible for inclusion on the CRHR, the site will be temporarily fenced or otherwise demarcated on the ground, and the area will be designated environmentally sensitive. Construction equipment will be directed away from the site, and construction personnel will be directed to avoid entering the area. Where site boundaries are unknown, the protected area will include a buffer zone with a 100-foot radius. In some cases, additional archaeological work may be required to demarcate the boundaries of the site in order to ascertain whether the site can be avoided.

CULT-3: Crew Education. A program of workforce education prior to project construction and archaeological monitoring/sensitive area demarcation during construction will ensure that impacts from looting or inadvertent disturbance by construction equipment will be avoided. Prior to the beginning of construction near any sensitive cultural resource, the construction crew will be informed of the resource values involved and of the regulatory protections afforded those resources. The crew will also be informed of procedures relating to designated culturally sensitive areas, and cautioned not to drive into these areas or to park or operate construction equipment in these areas. The crew will be cautioned not to collect artifacts, and asked to inform a construction supervisor in the event that cultural remains are uncovered. These programs typically would also be detailed in a mitigation and monitoring plan and workforce education plan prepared by the Applicant prior to project construction.

CULT-4: Archaeological Monitoring. All initial grading or excavation within 100 feet of any potentially significant resource, or area where a resource that may have a subsurface component may reasonably be expected to be present, will be monitored by an archaeologist. If subsurface materials are uncovered, construction work in the immediate vicinity will be halted and the emergency discovery procedures described below will be implemented.

CULT-5: Native American Monitoring. In order to ensure participation by interested members of the Native American community, it is recommended that a Native American monitor be present during archaeological site testing and/or data recovery operations at archaeological sites that appear to have a prehistoric or ethnographic component, should any such site be uncovered during construction. The monitor will be retained either directly by the project Applicant, or through the subconsultant conducting the actual fieldwork.

CULT-6: Formal Compliance with CEQA Sections 15064.5 and 15126.4. In the event that a resource cannot be avoided during the placement of any project facility, further archaeological work will be undertaken as appropriate to assess the significance/ importance of the resource prior to project implementation.

5.7.3.2 Mitigation for Resources Discovered during Construction

If unanticipated resources are discovered during construction, they will be addressed under the procedures set forth at CEQA Section 15064.5.

CULT-7: If possible, the resource will be avoided through design modification, or the protective measures described above. If the resource cannot be avoided, the project archaeologist will consult with the CEC and the lead federal agency (if there is federal involvement) with regard to resource significance. If it is determined that the resource is significant, measures to mitigate impacts will be devised in consultation with the CEC (and possibly the lead federal agency and Site Historic Preservation Officer [SHPO]), and will be carried out by the applicant.

CULT-8: In devising specific mitigation measures to address impacts for any site which cannot be avoided during construction, it will therefore be considered that there is a potential for ongoing impacts to any resource which cannot be avoided through project design. Any mitigative data recovery will be adequately scoped, in conjunction with the regulatory agencies, to address potential long-term ongoing impacts. In addition, crews and vehicles engaged in operation and maintenance will, as project policy, avoid traversing any exposed site.

5.7.4 Specific Mitigation Measures

General mitigation measures have been described above. Specific actions recommended at the MPP and temporary use sites are described below. Table 5.7-7 describes, by MPP component, the results of the record search, the survey, and an assessment of potential impacts and mitigation.

MPP Site

An archaeologist will inspect the northern quadrant of the site upon removal of pavement and prior to initial grading. An archaeological monitor also will be present to inspect initial grading and excavation activity. If buried cultural resources are uncovered and cannot be avoided, their significance will be assessed and appropriate mitigation measures developed as necessary, in consultation with the CEC. No additional mitigation measures are required for the temporary use sites unless previously undiscovered cultural resources are detected during construction.

Offsite Laydown/ Parking Areas

If use of temporary Site 2 (laydown area) requires subsurface disturbance, it is recommended that an archaeological monitor be present to inspect initial grading and excavation. Sites 1 and 3 are paved and will not be disturbed. No additional mitigation measures are required in locations 1 and 3 unless previously undiscovered cultural resources are detected during construction. No grading or excavation on temporary use Site 2 is anticipated.

5.7.5 Significant Unavoidable Adverse Impacts

No significant unavoidable adverse impacts to cultural resources have been identified to date. Implementation of the specific mitigation measures described above in Section 5.7.4 will effectively reduce potential significant adverse impacts to a less than significant level.

5.7.6 LORS Compliance

Cultural resource LORS are described below and in Table 5.7-8. Section 7.0 of the AFC also details LORS related to cultural resources. References to cultural resources LORS in Section 5.7 are also identified by page number in Table 5.7-8.

TABLE 5.7-7

CULTURAL RESOURCES BY PROJECT COMPONENT
RECORDS SEARCH RESULTS, SURVEY RESULTS, IMPACTS AND MITIGATION

Project Component	Previous Studies Conducted Within or Adjacent to APE	Previously Recorded Cultural Resources Within APE	Previously Recorded Cultural Resources Within Adjacent Study Areas (Outside APE)	Current Survey Results: Archaeological Resources	Current Survey Results: Historic Built Environment Resources	Potential Impacts to Cultural Resources (Direct, Indirect, or Cumulative)	Mitigation Recommendations
Power Plant Site	None	None	None	Negative	All structures evaluated recommended ineligible for listing in NRHP and not an important historic resource under CEQA.	Northern quadrant of site may be sensitive for historic and prehistoric resources.	Archaeological monitoring of all initial subsurface disturbance. No mitigation for built environment.
Temporary Site 1. Primary Off-site Parking	LA-2950 adjacent	None	None	None	No structures present	None anticipated	No mitigation necessary.
Temporary Site 2. Construction Laydown Area	LA-2950	Unknown	Unknown	None	No structures present	Potential if graded or excavated	Archaeological monitor if grading or excavating below fill.
Temporary Site 3. Secondary off-Site Parking	LA-2950	Unknown	Unknown	None	No structures present	None anticipated	No mitigation necessary.

TABLE 5.7-8

SUMMARY OF LORS AND COMPLIANCE

AFC Section	Authority	Administering Agency	Requirements/Compliance
Federal			
Not presently applicable 5.7.2	NHPA, as amended; 16 U.S. Code (USC) § 470 et. seq.; Section 106; 36 CFR § 60.4 and 800.	*SHPO/Lead Federal Agency	Formal findings by the lead federal agency for cultural resources in consultation with the SHPO and the Advisory Council on Historic Preservation. Implement procedures for dealing with cultural resources discovered during construction on federal lands or affected by federal undertakings.
Not presently applicable 5.7.2	Archaeological and Historic Preservation Act of 1976 (16 USC § 469).	*Secretary of the Interior and Lead Federal Agency	Provides for coordination with the Secretary when a federally licensed undertaking may cause irreparable damage to significant cultural resources.
5.7.1.10	Secretary of the Interior's Standards and Guidelines, September 29, 1983.	*Secretary of the Interior and Lead Federal Agency	Establishes standards for the gathering and treatment of data related to cultural resources.
Not presently applicable 5.7.2	PSD permit.	USFWS (via delegation to SCAQMD)	Provided when issuance of the PSD permit is a "federal undertaking" and requires compliance with Section 106 of the NHPA.
State			
5.7.1.11, 5.7.2, 5.7.2.1	CEQA Section 15064.5; California PRC §§ 5024, 5024.5, and 21083.2; Title 14, CCR § 15126.4.	CEC	Formal findings by the lead state agency regarding project-related effects to important cultural resources.
5.7.1.9, 5.7.2	California PRC §§ 25523(A), 25527; 20 CCR §§ 1752, 1752.5, 2300 to 2309, and Chapter 2, Subchapter 5, Article 1, Appendix B, Part (i).	CEC	Special consideration of unique historical, archaeological and cultural sites.

TABLE 5.7-8

(CONTINUED)

AFC Section	Authority	Administering Agency	Requirements/Compliance
State (continued)			
5.7.3.2, 5.7.3.1	California Health & Safety Code § 7050.5.	County Coroner (Medical Examiner) Mr. Lakshmanan Sathyavagiswaran, M.D. (323) 343-0714	Determination of origin of human remains and coordination with NAHC.
5.7.2	California PRC § 5024.1	State Historical Resources Commission	Provides for the establishment of the CRHR procedures for nominating sites to the Register.
5.7.3.2	California PRC §§ 5097.94 and 5097.98. 21	NAHC Rob Wood (916) 653-4040	Provides for mediation of disputes related to recovery and treatment of Native American human remains and identification of Most Likely Descendants.
Local			
5.7.2, 5.7.6	Los Angeles County General Plan (Los Angeles County 1980).	Los Angeles County Mr. Lee Stark (213) 974-6467	Provides policies to protect and identify historical, archaeological, paleontological, geological and significant architectural structures.
5.7.2, 5.7.6	City of Burbank Municipal Code Article 9, Division 6.	City of Burbank	The city outlines Historic Preservation Regulations including their purpose, and definition and criteria regarding historical places or structures. Procedures, permitting, and maintenance pertaining to historical resources are also clarified.
5.7.2, 5.7.6	Burbank City Planning Department	City of Burbank Joy Tuncay (818) 238-5250	The city follows all provisions of CEQA and will be notified of significant cultural findings.

* This project is not a Federal undertaking at this time and is not expected to trigger any of the Federal LORS described herein.

The archaeological survey described above served to identify cultural resources present within those areas of the MPP APE subject to survey. Any site potentially affected by the project will be subject to compliance with the provisions outlined in CEQA/CRHR and/or the implementing regulations of Section 106 of the NHPA as appropriate. At this time, the MPP is not considered a federal undertaking and will not be subject to federal LORS for paleontological or cultural resources. However, under some circumstances federal permitting does apply to such a project. For instance, the U.S. Fish and Wildlife Service (USFWS) has input into issuance of Prevention of Significant Deterioration (PSD) permits through a delegation agreement with the Southern California Air Quality Management District (SCAQMD) for certain projects. The USFWS will be provided copies of the cultural resources technical appendices in the event they conclude that issuance of the PSD permit through the SCAQMD is a "federal undertaking" and requires compliance with Section 106 of the NHPA. In the event that Section 106 compliance is triggered, applicable federal LORS are described in Section 7.0. If a site is found to occur within the MPP APE and cannot be avoided, a program of site evaluation will be undertaken to ascertain site significance under Section 106 of the NHPA and/or CEQA/CRHR as appropriate. If such a site is determined to be significant, mitigation measures will be developed in concert with the CEC and other agencies as appropriate.

Where feasible, the Applicant is committed to complete avoidance of cultural resources, alleviating the need for data recovery programs. Specific mitigation measures have been outlined above, to address any resources that might be encountered. In the event that archaeological testing is required to assess the significance of a site, it is estimated the initial testing/evaluation program can be accomplished in a 4-month period. If avoidance of a site found to be significant is not possible, formal compliance with Section 106 of the NHPA and/or CEQA/CRHR could require an additional 6 to 12 months to complete formal determinations of eligibility and effect (for sites subject to federal review) and for formalizing mitigation agreements. Such actions will be completed to ensure compliance with cultural resources LORS prior to construction. Compliance with applicable LORS is also discussed in Section 7.0. If compliance with Section 106 of the NHPA is required, such compliance is the responsibility of the lead federal agency.

5.7.7 Permit Requirements

At this time no specific permit requirements have been identified at the federal, state or local level, pertinent to any cultural resources work that could subsequently be required during the construction or operational phases of the project.

5.7.8 Agency Contacts

Agency contacts are listed in Table 5.7-9, as well as within the body of Table 5.7-8.

TABLE 5.7-9

AGENCY CONTACTS

Agency	Contact	Title	Telephone Number
City of Burbank	Joy Tuncay	Principle Planner	(818) 238-5250
County Coroner (Medical Examiner)	Lakshmanan Sathyavagiswaran, M.D.	County Coroner	(323) 343-0714
NAHC	Rob Wood	Associate Governmental Program Analyst	(916) 653-4040

5.7.9 References

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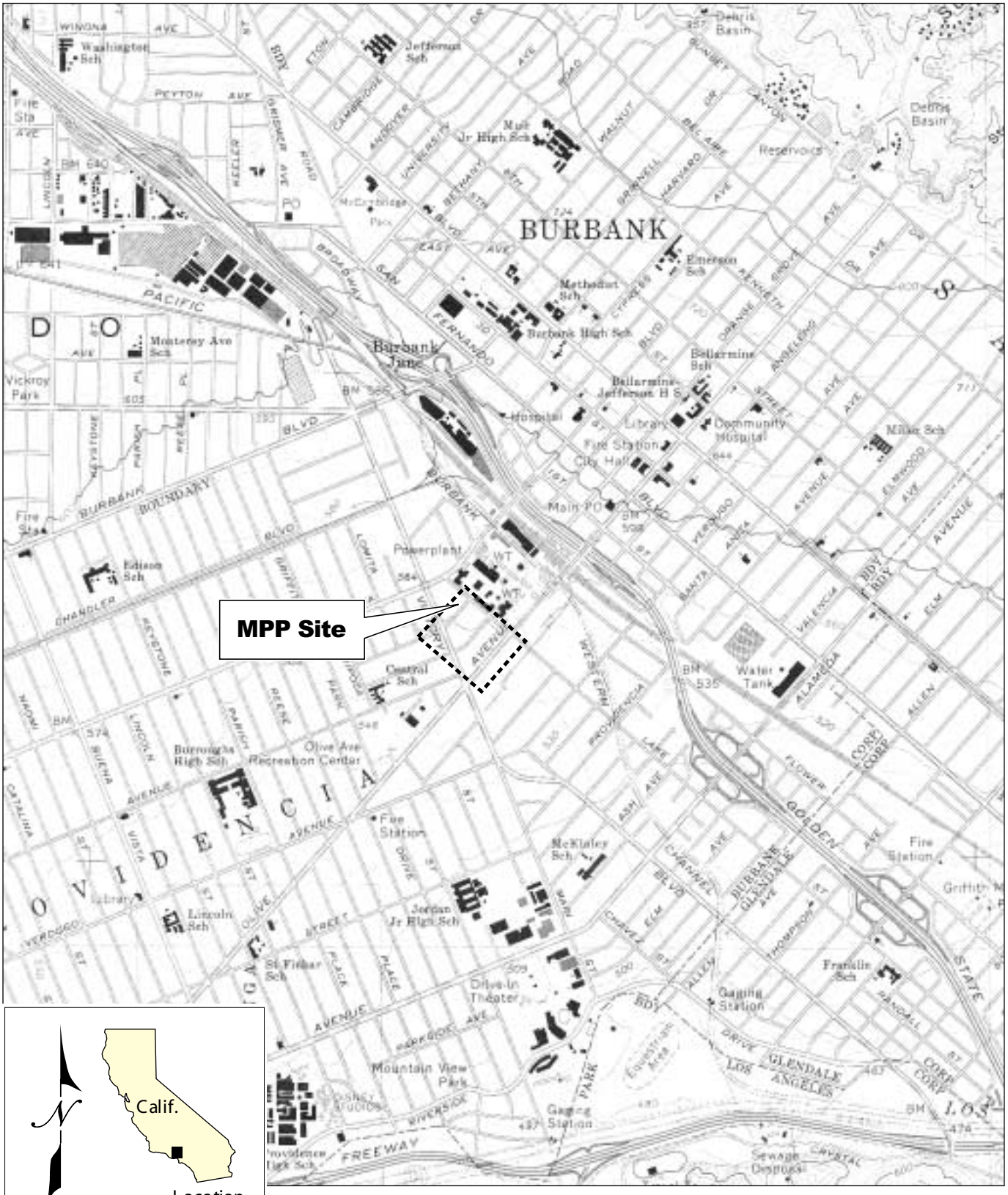
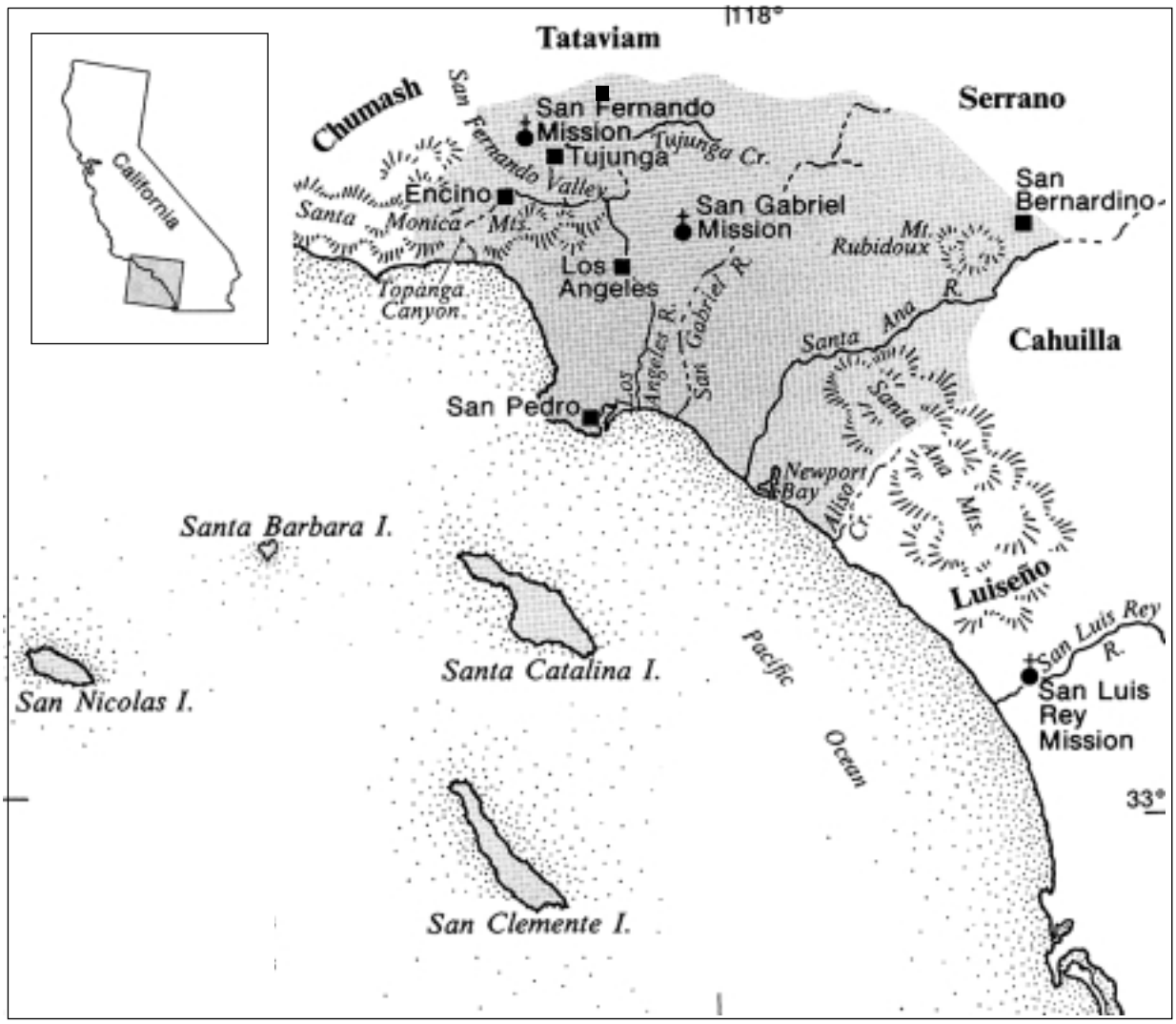
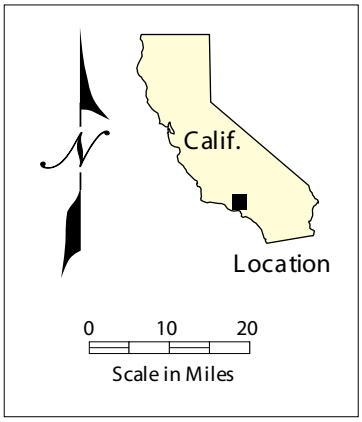


Base Map: *USGS 7.5' Topographic Quadrangle:*
Burbank, California 1966 (Photorevised 1972)

Magnolia Power Project	**Figure 5.7-1.** PROJECT LOCATION	March 2001

S:\Ladd\Burbank\Magnolia\301-121





Legend

- Modern City
- Spanish Mission

Source: Adapted from Bean and Smith in Wallace, 1978

Magnolia Power Project	**Figure 5.7-2.** AREA OF GABRIELINO ETHNOGRAHIC OCCUPATION	March 2001

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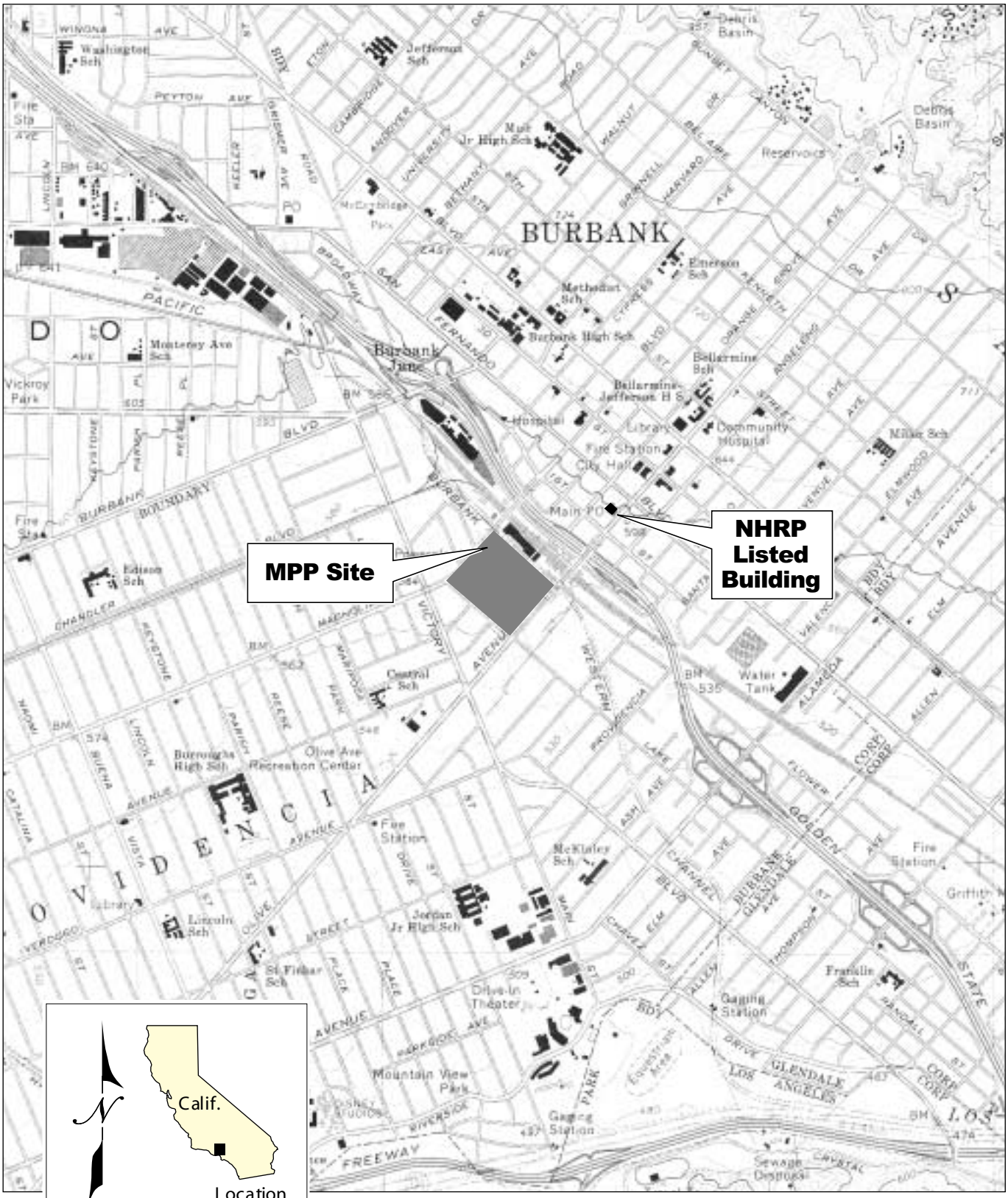

Base Map: *USGS 7.5' Topographic Quadrangle:* Burbank, California 1966 (Photorevised 1972)

Legend

Area Surveyed

Magnolia Power Project	**Figure 5.7-3.** AREAS SURVEYED FOR CULTURAL RESOURCES/PREVIOUSLY RECORDED RESOURCES	March 2001